



13281 U.S. PTO

PATENT  
ATTORNEY DOCKET NO.: 69273-0010 DIV

03917 U.S. PTO  
10/728838



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Applications  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL FOR A NEW PATENT APPLICATION**  
**UNDER 37 C.F.R. §1.53(b)(1)**

This is a request for filing a Divisional patent application under 37 C.F.R. §1.53(b)(1) of:

Inventors: **Elliott FARBER**

For: **METHODS FOR TREATMENT OF INFLAMMATORY DISEASES**

1. This is a new ☒ Utility ☐ Design ☐ Plant patent application.
  
2. The papers enclosed to obtain a filing date are as follows:  
**119 Pages of Application including**  
74 Pages of Disclosure  
32 Pages of Claims (Claims 1-133)  
1 Page of Abstract; and  
12 Sheets of drawings (Figures 1-11)  
☐ The enclosed drawing(s) are photograph(s), and there is also attached a  
**PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S).**
  
3. Declaration for Patent Application  
☐ Enclosed and is newly executed by all inventors.  
☒ Enclosed in this continuation/divisional application and is a copy from a prior application  
(37 CFR § 1.63(d).  
☐ Not Enclosed.  
This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time  
set for filing the Declaration and paying the filing fees.

## 4. Language

- ☒ English  
☐ Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

## 5. Assignment

- ☐ An assignment of the invention to, and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

☒ An assignment to Alwyn Company, Inc., was filed in parent application serial no. 09/758,696, filed January 11, 2001, and recorded on Reel/Frame 011799/0501. Please recognize this entity as the assignee on any publications.

## 6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

- ☐ Priority of the following foreign application(s) is claimed:

| Country | Application No. | Filed |
|---------|-----------------|-------|
|         |                 |       |
|         |                 |       |

Certified copy: ☐ is attached. ☐ will follow.

## 7. Priority based on provisional application(s) - 35 U.S.C. §120

- ☐ Benefit of the following U.S. application(s) is claimed:

| Non-Provisional Application No. | Filed            |
|---------------------------------|------------------|
| 09/758,696                      | January 11, 2001 |
| 09/570,120                      | May 12, 2000     |
| 09/360,095                      | July 23, 1999    |

## 8. Preliminary Amendment

- ☒ Amend the specification by inserting before the first line the sentence:  
 "This application is a ☐ continuation, ☒ division of co-pending application number 09/758,696, filed January 11, 2001, which is hereby incorporated by reference"

## 9. Small entity status

☒ Small entity status under 37 C.F.R. §1.27 is claimed for this application.

## 10. Fee Calculation (37 C.F.R. § 1.16)

| CLAIMS FOR FEE CALCULATION                               |              |              |                |  |
|--|--------------|--------------|----------------|--|
|  | Number Filed | Number Extra | at Rate of     | Basic Fee<br>Utility \$770.00<br>Design \$340.00 |
| Total Claims<br>(37 C.F.R. §1.16(c))                     | 13 - 20 =    | 0            | \$ 18.00 each= | +\$  |
| Independent Claims<br>(37 C.F.R. §1.16(b))               | 2 - 3 =      | 0            | \$ 86.00 each= | + \$   |
| Multiple dependent claim(s), if any (37 C.F.R. §1.16(d)) |              |              | \$ 290.00      | +  |
| SUB-TOTAL =  |              |              |                | +\$ 770.00                                       |
| Reduction by 1/2 for filing by a small entity            |              |              |                | -\$ 385.00                                       |
| TOTAL FILING FEE =                                       |              |              |                | \$ 385.00  |

## 11. Fee Payment

☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**  
 This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
 Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

☒ Enclosed.  
 A check in the amount of \$385.00 for the filing is enclosed.

12. ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

## 13. Additional papers enclosed:

☒ (Copy) Revocation of Original Power of Attorney, and Grant of New Power of Attorney and Change of Correspondence Address by Assignee and Certificate Under 37 C.F.R. §3.73(b)

☒ (Copy) Notice of Acceptance of Power of Attorney-date mailed 10/21/2002

- ☐ Change of Correspondence Address
- ☒ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO- 1449, documents as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

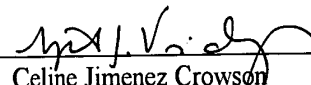
**Please accord this application an application number and filing date.**

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: December 8, 2003

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